

## REMARKS

Claims 1-29 were submitted for examination, and all stand rejected. Claims 1, 19 and 24 -29 have been amended. Claims 13 – 18 are canceled. New claims 30 – 35 have been added. In addition, the specification has been amended to correct some minor typographical errors in paragraphs 37 and 45. In view of the amendments and following remarks, Applicants submit that all claims remaining in the case are in condition for allowance.

### **Rejections under 35 U.S.C. § 102 (e)**

Claims 1-4, 6-12, and 19-29 stand rejected under 35 U.S.C. 103(e) as being anticipated by Parry (U.S. Patent Publication 2002/0128041 A1). However, Parry fails to suggest, disclose or teach all limitations for each rejected claim, as amended. Accordingly, the Office Action fails to make a prima facie case of anticipation, and such rejections should be withdrawn.

Parry discloses a switching device 300 that includes a processor 306, receiver 302 and transmitter 304. (See Fig. 3). The switching device 300 is a device separate from multiple computing devices that can be selected by the user. (Parry, para. 10; see also Parry, para. 25: “The communication can establish an initial link with the switching device so that the switching device can identify the computing device ...”). Parry further discloses a system that includes the multiple computing devices, the switching device, and one or more peripheral devices. (Parry, para. 11).

Because the Parry switching device 300 is a device separate from the multiple computing devices, A, B, C, etc., when a user wishes to access a different computing

device, the user must interact directly with the switching device: “To do this, they would simply make their selection on the switching device.” Parry, para. 32.

In contrast, Applicants disclose and claim a system that does not require physical switching of the settings at a switchbox. (See Application, para 20: A physical switchbox and wiring is no longer necessary to have shared control of I/O devices”). The switching mechanism for at least some embodiments disclosed and claimed by Applicants is software-based. (See Application, para 21). This switching mechanism is internal in that it resides and operates on each computer within at least one embodiment of the system. The software performs as a switch mechanism that allows for the shared use of I/O devices like monitors, keyboards, mice, joysticks, etc. *Id.* (See also Application, Figs. 3A-3F (no switching device)). Switching of control from one computer to another (See A 314, B 316, C 318 and D 320 in Figs. 3A-3F) may be effected by the user through entry of information at a keyboard rather than interaction with a physical switching device. See Application, para. 34; see also para. 45 – “a key combination to request a switch of control is toggled.”)

Regarding Claim 1, Parry fails to make a prima facie case of anticipation. To recap the above discussion with regard to Claim 1, Parry discloses that a user indicates a switching selection on a switching device (para. 32); the switching device is separate from the plurality of computing devices (para. 27), and that the switching device then establishes (Parry, block 406 of Fig. 4; para. 28) a communication link between a peripheral device and a computing device. At para. 26, Parry discloses that the switching device 300 includes hardware, software, and/or firmware to perform a method of switching (see Fig. 4). Nowhere does Parry teach, disclose or suggest a computing device having software to perform a switching mechanism. (Note that the Parry

computing devices A-E are explicitly distinct from the switching device 300 – see para. 32 and Fig. 5).

In contrast, Claim 1 recites, in part:

“receiving a wireless request, at a first computing device machine having software to perform as a switching mechanism, to switch control of a device to a second machine” (Claim 1 in part, as amended).

The Office Action fails to suggest, teach or disclose at least the quoted limitations of Claim 1. Accordingly, Claim 1 is allowable. For at least this reason, Claim 2-12, which depend from Claim 1, are also allowable.

Regarding Claim 19, the Office Action fails to present a prima facie case of anticipation because Parry fails, at least, to disclose, teach or even suggest at least the following elements of Claim 19:

“a first computer capable of wireless communication, wherein said first computer includes first switching software to have assume control of said wireless I/O device; and a second computer capable of wireless communication, wherein said second computer includes second switching software to acquire control of said wireless I/O device upon responsive to a request to switch control generated without a physical switching device.” (Claim 19 in part, as amended)

Parry wholly fails to make a prima facie case anticipation regarding first and second computers that include switching software and also regarding a request to switch control generated without a physical switching device. Indeed, Parry teaches away from such limitations by teaching that a user must interact with a physical switching device 300. As is discussed above, Parry discloses that a user makes a request to switch control “on the switching device.” Parry, para. 32. Accordingly, the Office Action fails to disclose,

teach or suggest at least the limitations of Claim 19 that are quoted above. Claim 19 is thus allowable for at least these reasons. Claims 20 – 23, which depend from Claim 19, are also allowable.

Regarding Claim 24, the Office Action appears to read certain elements from Claim 1 into Claim 24. Applicants object to such interpretation, particularly with regard to the implied assertion in the Office Action that Claim 24 recites a “first machine” and a “second machine.”

Regarding Claim 24 as it is actually presented, the Office Action fails to present a prima facie case of anticipation because Parry fails, at least, to disclose, teach or even suggest the following element of Claim 24:

“receiving a wireless request to switch control of a device, wherein the request is not made on a physical switching device” (Claim 24 in part, as amended).

Parry teaches that a request to switch control of a device must be made by a user on a physical switching device 300, and in no way teaches, discloses or suggests a request that can be generated without a physical switchbox. Claim 24, as well as its dependent claims 25 – 29, are allowable for at least this reason.

New claims 30 – 35 recite limitations that are not disclosed, claimed, or suggested by the cited references. Such new claims are therefore in condition for allowance.

#### **Rejections under 35 U.S.C. § 103(a)**

Claims 13 – 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Parry in view of Wu et. al (U.S. Patent Publication 2003/0083056). Applicants do not accede to such rejections. However, claims 13-18 have been canceled; the rejection must therefore be withdrawn.

Claim 5 was also rejected under 35 U.S.C. 103(a). However, Claim 5 depends from



amended Claim 1. For at least the reasons discussed above in connection with Claim 1, Claim 5 is in condition for allowance. Neither Parry nor Wu, alone or in combination, disclose, teach or suggest the limitations of claim 5.

Accordingly, all independent claims are in condition for allowance. For at least the foregoing reasons, all dependent claims are also in condition for allowance.

Applicants respectfully submit that the applicable rejections have been overcome and must all be withdrawn. All claims are therefore in condition for allowance.

Please charge any shortages and credit any overcharges to our Deposit Account No. 02-2666. The Examiner is requested to call Shireen Irani Bacon at (512) 732-3917 to set up an interview if the Examiner feels that such interview would be useful.


Respectfully submitted,

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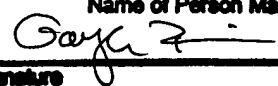
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